

**The Virginia Indigent Defense Commission
Executive Committee Meeting
1604 Santa Rosa Road, Suite 109
Richmond, VA 23229
May 23, 2007**

The meeting was called to order at 10:25 am by Chair, Jo-Ann Wallace. Other Commission members in attendance were Judge Alan Rosenblatt, Judge Edward Hanson, and Professor Robert Shepherd. Administrative staff included Executive Director, David Johnson; Deputy Director, DJ Geiger; and Diane Pearson.

With four Commission members present, quorum requirements have been met.

There was discussion that the upcoming Commission meeting will be Alex Levay's last meeting. He's had three years of good service and the Commission members will thank him at the end of that meeting. Mr. Levay is the chair of the Indigent Defense Task Force for the Virginia State Bar which will be taking up a lot of his time along with other commitments.

The first item on the agenda was the approval of previous Executive Committee meeting minutes. The first meeting minutes are from November 30, 2006 and the second from January 17, 2007.

Judge Rosenblatt made a motion to waive the reading of both sets of minutes and to approve both sets of minutes.

Judge Hanson seconded the motion.

The motion carried.

The second item on the agenda was the proposed appointments of officers of the Commission. Ms. Wallace said that it has been a privilege serving as chair over the past few years and while we had a rocky beginning, which was certainly a test of everyone's leadership abilities she was happy to have been in service long enough to have come through those times and to have seen significant progress both in terms of how this body operates and how the Indigent Defense Commission, as a whole is doing. She went on to say that she happily relinquishes the position of chair but feels that she is doing so at a time where significant progress has been made and it was a privilege to serve.

Judge Rosenblatt said he hopes Ms. Wallace stays involved with the Commission. Ms. Wallace replied that she will continue to be a Commission Member and will take it a year at a time even though she is giving up the chair position she will stay involved and will have time to devote to the Commission. Professor Shepherd added that she gives the Commission a national perspective and some expertise as well as having commitment to what's going on with indigent defense in Virginia.

Judge Hanson made a motion to make a recommendation to the Full Commission to recommend Professor Robert Shepherd as the new chair of the Indigent Defense Commission.

Judge Rosenblatt seconded the motion.

The motion carried with Professor Shepherd abstaining.

Judge Hanson made a motion to make a recommendation to the Full Commission to recommend Judge Alan Rosenblatt as the new vice chair of the Indigent Defense Commission.

Professor Shepherd seconded the motion.

The motion carried with Judge Rosenblatt abstaining.

The next item on the agenda is the Authority of Committees.

Mr. Johnson said that we want to present this authority of committees as a resolution to the Commission. The auditors have been very interested in whenever we do something, where the specific authority is in the minutes and the whole sub-committee structure we set up over a period of meetings, one of which was the September 2006 meeting where we had some technical difficulties. This reaffirms our understanding of why we have sub-committees, what their authority is and the composition. What we're going to ask the Commission is to adopt this in the form of a resolution and append it to the minutes. If there are any questions about it in the future we'll know exactly where the authority comes from.

Ms. Geiger added there is a second component to it. There is the authority of the committees and how they are structured and what their duties and recommendations would be. Then there is Part B, the authority of the Executive Director that kind of marries into that.

Mr. Johnson said that everything that is in the Authority of Committees has been stated at one point or another and has been the desire and intent of the Commission but it has not been in one place in the minutes.

Ms. Geiger added that the Commission would vote annually for continuation of authority. There may be a need to change the committees at some point so we thought approval on an annual basis was wise. If you continued the authority; it would basically be a re-adoption of the Authority of Committees that is before you today.

Mr. Johnson said an example of that is originally we had the personnel committee and when we realized we didn't have a training committee it became personnel and training. Also the Executive Committee added the legislative review responsibilities.

Judge Rosenblatt moved to adopt the proposed authority of committees as drafted by the staff. Judge Hanson seconded the motion.

The motion carried.

Mr. Johnson continued with the present composition of committees and the proposed composition of committees. Each of the proposed committee chairs, except Professor Shepherd, who by being chair of the Commission is chair of the Executive Committee, have been asked and have agreed to serve.

There was discussion of the proposed composition of the committee.

Mr. Johnson reviewed the recommendations for the committees.

Judge Rosenblatt moved to adopt the composition of the aforementioned committees to the Full Commission.

Judge Hanson seconded the motion.

The motion carried.

Judge Rosenblatt moved to adjourn the Executive Committee meeting.

Professor Shepherd seconded the motion.

The motion carried.

The meeting adjourned at 10:55am.

Respectfully Submitted:

Approved By:

Diane Z. Pearson, Administrative Assistant

David J. Johnson, Executive Director